

THE HONORABLE BARBARA J. ROTHSTEIN

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

IN RE: PHENYLPROPANOLAMINE (PPA)  
PRODUCTS LIABILITY LITIGATION,

MDL NO. 1407

**This document relates to:**

**Dicey Ware, as Personal Representative  
of the Wrongful Death Beneficiaries of  
Phalandew F. Williams, Deceased v.  
Chattem, Inc., et al.**

**ORDER GRANTING DEFENDANT  
CHATTEM, INC.'S MOTION FOR  
SUMMARY JUDGMENT ON NON-  
STROKE INJURY**

**Case No. 03-2059**

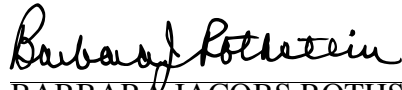
THIS MATTER comes before the court on Defendant Chattem, Inc.'s October 5, 2006 Motion for Summary Judgment. The court having reviewed this motion, as well as the Declaration of Denise Arenth Miller, and exhibits thereto, and Plaintiff having filed no opposition to this motion, the court finds that Chattem Inc's Motion for Summary Judgment on Non-Stroke Injury should be granted on the ground that plaintiff failed to submit admissible evidence that the decedent, Phalandew F. Williams, ever experienced, was diagnosed with, or was treated for a stroke of any type. Therefore, no genuine issue of material fact remains for the trier of fact, and summary judgment of dismissal with prejudice is granted.

It is hereby ORDERED, ADJUDGED AND DECREED that Defendant Chattem, Inc.'s

ORDER GRANTING DEFENDANT CHATTEM, INC.'S MOTION  
FOR SUMMARY JUDGMENT ON NON-STROKE INJURY - 1  
(MDL 1407)

1 Motion for Summary Judgment is GRANTED and plaintiff's claims against Chattem, Inc. are  
2 hereby dismissed with prejudice.

3 Dated this 29<sup>th</sup> day of November, 2006.

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6 BARBARA JACOBS ROTHSTEIN  
7 UNITED STATES DISTRICT COURT  
8 JUDGE \_\_\_\_\_  
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